

July XX, 2010

L-8J

The Honorable Craig R. Fry  
Indiana House of Representatives  
P.O. Box 1066  
Indianapolis, Indiana 46546-1066

Dear Mr. Fry:

The purpose of this letter is to respond to the questions in your email dated July 13, 2010 concerning the VIM Recycling, Inc. (VIM) site in Elkhart. Many issues you raise were addressed in a response to Marilyn Cage of your staff dated October 28, 2009 (enclosed).

The focus of EPA's Administrative Consent Order (ACO) at VIM was to extinguish the fire within the C waste that was causing smoke and odors. This goal was accomplished under the ACO, as all C waste was screened and the larger waste materials were removed. The smaller materials, or "fines," were left behind as they did not represent a fire threat and did not require further processing to be incorporated into a soil amendment product. IDEM has issued a permit to Soil Solutions Company to process material similar in nature as the fines to create a beneficial soil amendment product. You can contact Mr. Bruce Palin of IDEM at 317-233- 6591 for further information regarding this permits. With respect to any ongoing state legal actions involving VIM, you can contact Valerie Tachtiris at the Indiana Attorney General's Office at 317-232-6290.

Please understand that every action that we have taken at this site has been with the goal of protecting the people of the Baugo North Neighborhood, and we have taken all calls by residents, elected officials and IDEM for assistance on this site very seriously. EPA worked diligently to ensure completion of work pursuant to the ACO as well as the request for additional assistance by IDEM and Elkhart County on the perimeter berms.

If you have any other questions, please feel free to contact Ronna Beckmann, the EPA Region 5 Congressional Liaison, at (312) 886-3000.

Sincerely,

Bruce F. Sypniewski, Acting Director  
Land and Chemicals Division

Enclosure